

Washington, and amend in part an act entitled an act to alter a part of the southern boundary line of the county of Washington, and a part of the northern boundary line of the county of Austin, approved 29th January, 1842, and all other laws and parts of laws conflicting with the provisions of this act, be and the same are hereby repealed."

"Insert section 3. This act shall take effect thirty days after its passage"; adopted, and bill ordered to be engrossed.

A bill to regulate the pay of members and officers of the Legislature; read second time, and on motion of Mr. Taylor referred to the committee on Finance.

The resolution of the Senate instructing the committee on Public Printing to inquire why the Governor's message has not been printed as ordered in the Spanish and German languages; was read and adopted.

A bill giving damages upon protested drafts or bills of exchange, drawn upon persons living out of the limits of the State; read.

Mr. Taylor offered the following amendment to come in after the word "accruing":

"Provided, that the provisions of this act shall not be so construed as to embrace drafts drawn by persons other than merchants upon their agents or factors"; adopted.

On motion of Mr. Gray, the last clause was stricken out of the bill, and bill passed to a third reading.

A bill regulating sales by administrators and executors, &c.; read, and on motion of Mr. Eddy laid on the table.

A bill to regulate the sales of sheriffs and other officers, &c.; read, and on motion of Mr. Eddy laid on the table.

On motion of Mr. Burleson, a bill to abolish the office of Adjutant General, &c., was taken up.

On motion of Mr. Sterne, the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, December 4, 1851.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Baggerly—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Williams presented the memorial of the executive and

legislative departments, and of many citizens of the Choctaw Nation; read and referred to a select committee.

Messrs. Williams, Wilson, Dancy, Gray and Taylor, were appointed said committee.

Mr. Gray moved that the committee be authorized to have one hundred copies of the memorial printed.

Mr. Davis moved that five hundred copies be printed.

Mr. Grimes moved the previous question; carried.

The President decided that the previous question was on Mr. Davis' motion to print five hundred.

Mr. Dancy contended that Mr. Gray's motion to print one hundred was the previous question, and appealed from the decision of the President.

The Senate sustained the decision of the President.

The yeas and nays were then called on printing five hundred copies, and were as follows:

Yeas—Messrs. Armstrong, Bogart, Dancy, Davis, Day, Doane, Duggan, Eddy, Gray, Hart, Hill, Kinney, Reaves, Scott, Truit, Williams and Wilson—17.

Nays—Messrs. Bigelow, Burks, Burleson, Grimes, Merriman, Meusebach, Parker and Taylor—8. Carried.

Mr. Dancy moved to reconsider the vote just taken.

Mr. Dancy moved to lay the motion to reconsider on the table; lost.

Mr. Dancy moved to postpone the motion to reconsider until Monday next; lost.

Mr. Dancy moved to postpone the motion to reconsider until Saturday next; lost.

Mr. Taylor moved to adjourn until ten o'clock to-morrow morning; lost.

Mr. Dancy moved to adjourn until three o'clock p. m.; lost.

Mr. Dancy moved to adjourn until two o'clock p. m.; lost.

On motion of Mr. Davis, the previous question was called.

Mr. Dancy moved to reconsider the vote just taken; lost.

Mr. Dancy moved to adjourn until four o'clock p. m.; lost.

The question on the reconsideration of the vote printing five hundred copies of the memorial was taken and lost.

Mr. Davis, from the committee on Internal Improvements to which was referred a bill to encourage the deepening of the Anahuac Pass, at the mouth of the Trinity river, reported the same back and recommended its passage.

Mr. Reaves, from the committee on Internal Improvements, reported back a bill to regulate divisional fences, and recommended its rejection.

Mr. Taylor, chairman of the committee on Private Land Claims, to whom was referred the petition of Samuel C. Henderson, reported a bill for his relief; which was read first time.

Mr. Armstrong, chairman of the committee on Public Lands, to whom was referred a bill relinquishing to the county of El Paso, a certain tract of land, reported the same back, and recommended its passage.

Mr. Armstrong from the same committee, to which was referred the petition of Richard Parmalee, assignee of Baltazar Orset, reported as follows:

The committee have considered the same, and find from the proof that Orset was entitled to one league and labor of land, and obtained a title for one league, March 10, 1835; that the title he obtained defines no land, and is a nullity. A majority of the committee have instructed me to report the petition back to the Senate, and ask to be discharged from the further consideration thereof.

Mr. Taylor, chairman of the committee on Private Land Claims, to whom was referred the petition of Julian Sanchez, reported a bill for his relief; which was read first time.

Mr. Wilson presented the petition of the heirs of Dr. R. F. Brenham; referred to the committee on Claims and Accounts.

Mr. Armstrong, chairman of the committee on Public Lands, made the following report:

The committee on Public Lands, to whom was referred a bill for the relief of Napoleon Devaltz, have considered the same and find that said Devaltz obtained a certificate for one-third of a league of land; that he appealed to the District Court of Nacogdoches county and got judgment that the Board of Land Commissioners of said county issue to him a certificate for one league and one labor of land; that said certificate issued accordingly, March 27, 1838; that the investigating board made an entry in their record, that Devaltz arrived in February, 1836, and married after the declaration of independence; and that the investigating board reported the name of Napoleon Devaltz to the General Land Office, but no amount of land was allowed him in that report. It is found that Devaltz sold to Chevalier, September 4, 1844. The committee believe that the investigating board had no jurisdiction of the claim. A majority of the committee instruct me to say, that they are not entirely satisfied as to the justice of the claim, and ask leave to return the bill to the Senate.

Mr. Hart, from the committee on Public Lands, to whom was

referred a bill for the relief of Julia Buchanan, reported the same back, and recommended its passage.

Mr. Hart from the same committee, reported back a bill for the relief of W. D. Thompson & Co., assignees of John Simonds, and recommended its passage.

Mr. Bogart, chairman of the committee on Counties and County Boundaries, to whom was referred a bill to provide for the erection of public buildings in Kaufman county, reported the same back to the Senate, and recommended its passage.

Mr. Hill, chairman of the committee on the Public Debt, introduced a bill to provide for the reception and deposit of a portion of the indemnity due the State of Texas by the United States, for the sale of a portion of her northwestern territory, under the provisions of an act of Congress, approved September 9th, 1850; read first time.

Mr. Eddy made the following report :

The undersigned, in behalf of the committee on Printing, to whom was referred the resolution of the Senate, instructing said committee to report the cause of the delay in the printing of the Governor's message in the Spanish and German languages; would inform the Senate that the Governor's message in the Spanish and German language are completed, and now within the Senate for distribution.

Mr. Duggan, chairman of the committee on Enrolled Bills, made the following report :

The committee on Enrolled Bills have examined the following bills :

An act to legalize certain acts and records of the clerk of the county court of Lamar county ;

An act to better define the boundaries of the county of Cameron ;

And find them correctly enrolled, and that they have been this day deposited with the Governor for his signature.

On motion of Mr. Duggan, a bill to locate permanently the county seat of Lavaca county, was taken from the table and referred to the committee on Counties and County Boundaries.

On motion of Mr. Eddy, a bill regulating sales by administrators and executors, etc., was taken from the table and placed among the orders of the day.

ORDERS OF THE DAY.

A bill to abolish the office of Adjutant General, etc., read, and, on motion of Mr. Kinney, laid on the table.

A bill for the relief of the heirs of William Gibbs, of Tyler

county ; read, and, on motion of Mr. Davis, re-referred to the committee on Private Land Claims.

A message was received from the House, informing the Senate, that the House had passed a bill to amend an act to incorporate the Austin College, which originated in the Senate ; also, a bill concerning estates of deceased soldiers, with an amendment ; also, that the House had passed the following bills, originating in the House, to wit :

- A bill for the relief of J. B. Thacker ;
- A bill validating certain certificates therein mentioned ,
- A bill transferring an appropriation therein named ;
- A bill better defining the boundaries of Denton county ;
- A bill for the relief of the securities of John W. McKissick, late assessor and collector of Fayette county ;
- A bill to incorporate the town of Gilmer, in Upshur county ;
- A bill to render valid and effectual to legal claimants, patents for land which have been issued, or which may hereafter be issued in the names of deceased persons ; and,

A bill authorizing the county court of El Paso county to appoint the place of holding the district courts in said county, and define the time of holding the district court in the 11th Judicial District.

A bill confirming the action of the Auditor and Comptroller under the provisions of an act of the Legislature to provide for ascertaining the debt of the late Republic of Texas, etc. ; read second time, and, on motion of Mr. Taylor, made the special order of the day for to-morrow.

On motion of Mr. Wilson, the committee on Printing was instructed to select from the documents accompanying the report of the Auditor and Comptroller, such as they may deem necessary, and contract for the printing forthwith of 270 copies for the use of the Senate.

On motion of Mr. Bigelow, the committee on Printing was instructed to procure for the use of the Senate, one hundred copies of the Governor's message, and one hundred copies of the report of the commissioners on land titles west of the Nueces.

The following bills were severally read a third time and passed, to wit:

A bill to amend the 151st section of an act to regulate proceedings in the district courts, approved May 13, 1846 ;

A bill giving damages upon protested drafts and bills of exchange ; and,

A bill to amend the tenth section of an act to organize the district courts, and define their powers and jurisdiction.

On motion of Mr. Dancy, the Senate adjourned until quarter before ten o'clock to-morrow morning.

AUSTIN, Friday, December 5, 1851.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Baggerly—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Truit introduced a bill to authorise Robert Burns, a citizen of Louisiana to practise law in all the courts of the State of Texas; read first time.

Mr. Reaves, Chairman of the committee on Engrossed Bills, reported the following bills correctly engrossed, to wit:

A bill to define and fix the southern boundary line of Washington county, and the northern boundary line of Austin county.

A bill to require the return of field notes in certain cases.

A bill to incorporate the town of Belton, in Bell county, and

A bill for the relief of A. F. Holcomb.

Mr. Gray, chairman of the committee on the Judiciary, to which was referred a bill to repeal the 24th section of an act concerning crimes and punishments, approved 20th March, 1848, reported the same back and recommended its passage.

Mr. Gray, from the same committee reported the following bills back and recommended their passage, viz:

A bill to incorporate the town of Anderson, in Grimes county.

A bill to incorporate the town of Clarksville, and

A bill to incorporate the town of Quitman.

Mr. Gray, from the same committee made the following report:

The committee on the Judiciary, have considered the petition of Condé Raguet, asking relief as the assignee of John M. Rine, to whom a certificate for one third of a league of land was issued by the land Commissioners of Harrisburg county in 1838, and which was not recommended for patent by the investigating board. They find from the records in the Adjutant General's office, that Rine was a soldier in the service of Texas, prior to August 1836, and again after that time for